

RESOLUTION NO. 12-06

A RESOLUTION OF VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 10 DIRECTING THE CHAIRMAN AND ALL DISTRICT STAFF TO FILE A PETITION WITH SUMTER COUNTY, FLORIDA, REQUESTING THE PASSAGE OF AN ORDINANCE AMENDING THE DISTRICT'S BOUNDARIES, AND AUTHORIZING SUCH OTHER ACTIONS AS ARE NECESSARY IN FURTHERANCE OF THE BOUNDARY AMENDMENT PROCESS; REPEALING AND REPLACING RESOLUTION NO. 12-04; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Village Community Development District No. 10 (the "District") is a unit of special-purpose government established pursuant to the Uniform Community Development District Act of 1980, as codified in Chapter 190, *Florida Statutes* ("Uniform Act"), by Sumter County, Florida ("County") by passage of Ordinance No. 04-38 ("Ordinance"); and

WHEREAS, pursuant to the Uniform Act, the District is authorized to construct, acquire, and maintain infrastructure improvements and services including, but not limited to, roads, drainage collection and water management systems, bridges, water supply and distribution systems, wastewater and reuse systems;

WHEREAS, the District presently consists of 1397.81 acres, more or less, as more fully described in the Ordinance;

WHEREAS, the sole landowner with the District, The Village of Lake-Sumter, Inc., a Florida corporation ("Developer"), and its affiliates are presently developing real property within and adjacent to the District; and

WHEREAS, the Developer has approached the District and requested the District petition to amend its boundaries to comprise the area described in the attached **Exhibit 4**, in an effort to facilitate development of the overall lands as a functionally interrelated community and to promote compact and economical development of lands; and

WHEREAS, the proposed amendment to the District's boundaries would result 1,489.50 acres, an addition of 21.2 acres, more or less, the amendment size restrictions contained within §190.046(1), *Florida Statutes*; and

WHEREAS, on July 20, 2012, the District adopted Resolution 12-04 directing the Chairman and staff to file a Petition to amend the District's boundaries; however, subsequent to adoption thereof it was realized that an additional 21.5 acres needed to be included in the petition

and the most efficient way to accomplish including the additional acreage and updated correlating information is to repeal Resolution 12-04 in its entirety and replace it with this resolution containing the correct acreage and related information;

WHEREAS, the proposed boundary amendment is in the best interests of the District and the area of land within the proposed amended boundaries of the District will continue to be of sufficient size, sufficiently compact, and sufficiently contiguous to be developable as one functionally related community; and

WHEREAS, for the area of land that will lie in the amended boundaries of the District, the District is the best alternative available for delivering community development services and facilities; and

WHEREAS, the area of land that will lie in the amended boundaries of the District is amendable to separate special district government; and

WHEREAS, in order to seek boundary amendment pursuant to Chapter 190, *Florida Statutes*, the District desires to authorize District Staff, including but not limited to legal, engineering, and managerial staff, to provide such services as are necessary throughout the pendency of the boundary amendment process; and

WHEREAS, the retention of any necessary consultants and the work to be performed by District Staff may require the expenditure of certain fees, costs, and other expenses by the District as authorized by the District's Board; and

WHEREAS, the Developer has agreed to provide sufficient funds to the District to reimburse the District for any expenditures including, but not limited to, legal, engineering and other consultant fees, filing fees, administrative, and other expenses, if any; and

WHEREAS, the District desires to petition to amend its boundaries in accordance with the procedures and processes described in Chapter 190, *Florida Statutes*, which processes include the preparation of a petition to the County, the holding of a local hearing in accordance with §190.046(1), *Florida Statutes*, and such other actions as are necessary in furtherance of the boundary amendment process.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 10, THAT:

SECTION 1. The recitals as stated above are true and correct and by this reference are incorporated into and form a material part of this Resolution.

SECTION 2. The Board hereby directs the Chairman of the Board of Supervisors and District Staff to proceed in an expeditious manner with the preparation and filing of a petition and related materials with the County to seek the amendment of the District's boundaries to comprise the lands described in **Exhibit 4**, pursuant to Chapter 190, *Florida Statutes*, and authorizes the prosecution of the procedural requirements detailed in Chapter 190, *Florida Statutes*, for the amendment of the District's boundaries.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

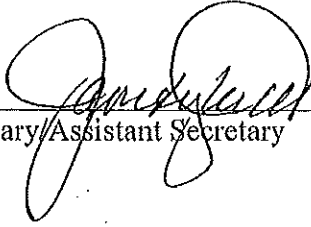
SECTION 3. Resolution 12-04 is hereby repealed and is replaced with this resolution.

SECTION 4. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED this 9th day of August, 2012.

ATTEST:

**VILLAGE COMMUNITY
DEVELOPMENT DISTRICT NO 10**



Secretary/Assistant Secretary

By: 

Chairman, Board of Supervisors

PETITION TO AMEND BOUNDARIES OF
VILLAGE COMMUNITY DEVELOPMENT DISTRICT No. 10
BY ADDING AND DELETING CERTAIN LANDS
PURSUANT TO FLORIDA STATUTE 190.046

Petitioner, Village Community Development District No. 10, a Community Development District duly established by Ordinance 04-38 on September 28, 2004 of the Sumter County Commission, Sumter County, Florida, pursuant to the powers set forth in Chapter 190, Florida Statutes, petitions the Sumter County Commission (hereinafter referred to as "Sumter County", pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes, to adopt an ordinance amending the ordinance heretofore adopted establishing Village Community Development District No. 10 (hereinafter referred to as the "District") by adding and deleting certain lands to the District.

1. Petitioner is a Community Development District duly established by an ordinance of Sumter County, pursuant to the powers set forth in Chapter 190, Florida Statutes, with its principal place of business at 1894 Laurel Manor Drive, The Villages, Florida.
2. The land area to be served by the District after the amending the District boundaries as requested would comprise approximately 1489.5 acres. A map showing the location of the land area to compromise the District after this amendment is attached as Exhibit "1", and lies within Sumter County, Florida. A legal description of the external boundaries of the District as it exists today is shown as Exhibit "2" attached hereto. Exhibit "3" is a legal description of the area which Petitioner proposes to delete from the District. Exhibit "4" is a legal description of the area which Petitioner proposes to add to the District. Exhibit "5" lists the names and addresses of the real property owners to be added to or deleted from the District. Attached as Exhibit "6" is documentation constituting written consent to the addition of the parcels requested hereby to be included and the deletion of those parcels requested to be excluded to the District.
3. A legal description of the District after the proposed amendment is attached as Exhibit "7".
4. The five persons currently serving as the members of the Board of Supervisors of the District who shall serve in that office until replaced are named in Exhibit "8" attached hereto.
5. It is proposed to continue with the name "Village Community Development District No. 10".
6. A map of the District as proposed to be amended showing current major trunk water mains and sewer interceptors and outfalls is attached as Exhibit "9".

7. All the property in the District and the area proposed to be added into or deleted from the District is designated PUD, pursuant to the approved development plan of Villages of Sumter, Development of Regional Impact Development Order, and under the Sumter County Land Use Element and Future Land Use Map attached as Exhibit "10".

8. Those District services to be furnished by the District and the proposed timetable for construction of the amended District services and the estimated cost of constructing the proposed services are listed on Exhibit "11".

WHEREFORE, Petitioner respectfully requests Sumter County to:

A. Schedule a public hearing on as soon as possible to consider this Petition in accordance with law.

B. Grant the Petition and adopt an ordinance amending the original ordinance establishing the District, by deleting the lands described on Exhibit "3" and adding the lands as described on Exhibit "4".

Respectfully submitted this 9th day of August, 2012.

VILLAGE COMMUNITY DEVELOPMENT DISTRICT No. 10

By: Donald McLean

Pipkin, Lisa

Subject: FW: VCDD No. 10 Resolution 12-06
Attachments: SLCDD5001N@districtgov.org_20120809_082153.pdf

-----Original Message-----

From: McQueary, Jennifer [<mailto:Jennifer.McQueary@districtgov.org>]

Sent: Thursday, August 09, 2012 8:49 AM

To: Arnold, Bradley

Cc: Tutt, Janet; valerie fuchs

Subject: VCDD No. 10 Resolution 12-06

Mr. Arnold,

The Village Community Development District No. 10 Board met this morning and adopted Resolution 12-06 which petitions Sumter County to amend the District's Boundaries and repeals and replaces Resolution 12-04 previously provided to you.

Please advise if I can be of further assistance.

Thank you,

Jennifer McQueary
District Clerk
Village Community Development Districts
(352) 751-6706